

INCOMING TELEGRAM

Department of State

SECRET

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IN 34493

FROM: PRAGUE

RECD: SEP 25 0247Z 61

TO : Secretary of State

PRECEDENCE — PRIORITY

NO: 137 24 SEP 61

CIA

FROM PRAGUE

137, SEPTEMBER 24, 8 P.M. SIGNED WAILES

DEPARTMENT ALSO PASS EMBTEL 136 AND THIS MESSAGE INFORMATION

HQUSAF AFCIN AND AFCIN-1E AND DEPTAR FOR ACST.

REFERENCE EMBTEL 136

EMBASSY CONSULAR OFFICER T. J. BURKE DETAINED SIX HOURS

SEPTEMBER 23 BY CZECH MILITARY FOR INADVERTENTLY ENTERING

CLOSED MILITARY ZONE AROUND MILOVICE MILITARY AIRPORT ABOUT

45 KILOMETERS NORTH EAST OF PRAGUE. BURKE'S CAR LEFT

OVERNIGHT ON URGING CZECH AUTHORITIES, PHOTOGRAPHED TODAY

WITH JET AIRCRAFT IN BACKGROUND AND BURKE SUBSEQUENTLY

FILMED ENTERING IT AND DEPARTING.

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BURKES ON PLEASURE TRIP WITH FAMILY IN PERSONAL CAR, HAPPENED TAKE ROAD NEAR MILOVICE AIRPORT, PASSED ROAD SIGNS WARNING OF CLOSED MILITARY AREA, WAS STOPPED AT 1800 HOURS BY SENTRY WHO DECLINED EXAMINE PROFFERED DOCUMENTS. TAKEN THREE HOURS LATER TO NEARBY INSTALLATION UNTIL OFFICIAL OF PROTOCOL SECTION FOREIGN MINISTRY SHOWED UP. AT OFFICIALS STATEMENT THAT THIS CUSTOMARY REQUIREMENT, BURKS SIGNED STATEMENT STATING THAT HE WAS PURELY ON PLEASURE TRIP, HAD INADVERTENTLY ENTERED CLOSED MILITARY AREA, THAT HE HAD NO PHOTO EQUIPMENT, TAKEN NO NOTES AND THAT HE HAD NO SPECIAL EQUIPMENT OF ANY SORT IN CAR. BURKE HAD NO CAMERA WITH HIM. PROTOCOL OFFICER THEN SAID THAT IT WAS MILITARY REGULATION WHOSE PURPOSE HE DID NOT HIMSELF ENTIRELY UNDERSTAND, THAT CARS WHICH PENETRATE MILITARY AREA HAD TO REMAIN THERE CERTAIN PERIOD THEREAFTER. HE ASKED IF BURKE WOULD COMPLY, STATING THERE WAS NO COMPULSION TO DO SO. BURKE FELT IT WOULD BE EVIDENCE OF GOOD FAITH, GENUINENESS OF MISTAKE IF HE DID SO AND AGREED.

BURKE TOLD NEXT DAY BY PROTOCOL OFFICER HE WOULD HAVE TO PICK UP CAR HIMSELF. HE DROVE TO AREA WITH EMBASSY COUNSELLOR, WAS STOPPED OUTSIDE RESTRICTED AREA AT ABOUT 1330 BY LT. COL. OF MILITARY LIAISON SECTION DEFENSE MINISTRY WHO SAID BURKE WOULD HAVE TO ENTER AREA WITH HIM ALONE IN HIS CAR. COLONEL'S CAR STOPPED ABOUT 50 YARDS BEHIND BURKE'S CAR WHICH HAD BEEN MOVED SLIGHTLY. OFFICER THEN ASKED BURKE TO GET OUT, INFORMED BURKE THAT HE HAD BEEN INSTRUCTED MAKE FORMAL PROTEST AGAINST BURKE'S HAVING ENTERED CLOSED MILITARY ZONE AND THAT HE SHOULD NOW LEAVE. AS BURKE APPROACHED CAR, GOT IN, AND DROVE AWAY HE WAS FILMED BY MOVIE CAMERA.

COMPLETELY COINCIDENTAL THAT BURKE AND KENT ENTERED AND DETAINED IN SAME AREA. THERE ARE SOME GROUNDS FOR PROTEST IN BURKE'S CASE BECAUSE HE ENTERED AREA IN GOOD FAITH. HOWEVER FACT THAT BOTH INCIDENTS TOOK PLACE SAME AREA MAKES OUR CASE LOOK UNCONVINCING. EMBASSY THEREFORE NOT PLANNING PROTEST OR TAKE OTHER ACTION VIS-A-VIS CZECHS.

END OF MESSAGE

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